

SCHOOL BUDGET REVIEW COMMITTEE[289]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 257.30, the School Budget Review Committee hereby proposes to amend Chapter 8, “Waivers or Variances from Administrative Rules,” Iowa Administrative Code.

During a routine review of rules, Department of Education staff discovered that Chapter 8 should be amended to reflect that waiver requests are handled by the Committee and not by the Department. The proposed amendments in Items 1 to 3 address this discrepancy. Item 4 also adds more detail to the mailing address of the Committee.

A waiver provision is provided in 289—Chapter 8.

Interested individuals may make written comments on the proposed amendments on or before October 26, 2010, at 4:30 p.m. Comments on the proposed amendments should be directed to Su McCurdy, Administrative Consultant, Iowa Department of Education, Second Floor, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa 50319-0146; telephone (515)281-4738; E-mail su.mccurdy@iowa.gov; or fax (515)281-7700.

These amendments are intended to implement Iowa Code sections 257.30 and 282.31.

The following amendments are proposed.

ITEM 1. Rescind the definitions of “Board,” “Department” and “Director” in rule **289—8.1(17A,ExecOrd11)**.

ITEM 2. Strike “department” wherever it appears in rules **289—8.3(17A,ExecOrd11)**, **289—8.6(17A,ExecOrd11)**, **289—8.7(17A,ExecOrd11)**, **289—8.8(17A,ExecOrd11)** and **289—8.12(17A,ExecOrd11)** and insert “committee” in lieu thereof.

ITEM 3. Strike “director” wherever it appears in rules **289—8.4(17A,ExecOrd11)**, **289—8.10(17A,ExecOrd11)**, **289—8.11(17A,ExecOrd11)**, **289—8.13(17A,ExecOrd11)**, **289—8.15(17A,ExecOrd11)** and **289—8.16(17A,ExecOrd11)** and insert “committee” in lieu thereof.

ITEM 4. Amend rule **289—8.5(17A,ExecOrd11)** as follows:

289—8.5(17A,ExecOrd11) Filing of petition. All petitions for waiver must be submitted in writing to the ~~Director, Department of Education~~ School Budget Review Committee, Grimes State Office Building, 400 E. 14th Street, Des Moines, Iowa 50319-0146. If the petition relates to a pending contested case, the petition shall be filed in the contested case proceeding, using the caption of the contested case.